

Notice of Allowability

Application No.

10/735,209

Examiner

Thong Q. Nguyen

Applicant(s)

UMEMOTO ET AL.

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Pre-Appeal Brief Request for Review and the Decision of the pre-appeal conference.
2. ☒ The allowed claim(s) is/are 26-39 which are renumbered as claims 1-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____


THONG NGUYEN
PRIMARY EXAMINER

DETAILED ACTION

Remarks

1. The present Office action is made in response to the Pre-appeal Brief request for Review filed by applicant on 12/1/06 and the conclusion of the Pre-Appeal conference on 1/17/07.

Allowable Subject Matter

2. Claims 26-39 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The optical film as recited in independent claim 26 is patentable with respect to the prior art, in particular, the European reference No. EP 867 747 and the U.S. Patent No. 5,914,825 by the limitation related to the thickness of the transparent film. It is noted that while the European reference does disclose an optical film having the following features: a) a transparent film having an average in-plane retardation not larger than 30 nm; b) an adhesive layer on one surface of the transparent film wherein the difference in refractive indexes of the transparent film and the adhesive layer is less than 0.12; and c) a repetitive prismatic structure provided on the other surface of the transparent film wherein the prismatic structure has optical path changing slopes aligned in a constant direction at an inclination angle in a range of from 35 to 48 degrees with respect to the plane of the transparent film; however, the European reference does not disclose that the thickness of the transparent film is 300 micrometers or less as claimed. It is noted while the Patent No. 5,914,825 discloses an optical element

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having a thickness in the range of 10 to 1000 micrometers; however, there is not any suggestion provided by the U.S. Patent to one skilled in the art to modify the optical film provided by the European reference to make the thickness of the transparent film equal to 300 micrometers or smaller without changing the whole structure and the dimension of each elements constitute the optical film and the liquid crystal device having such film provided by the European reference.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

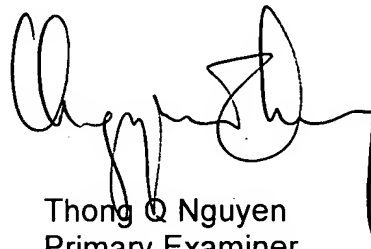
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong Q. Nguyen whose telephone number is (571) 272-2316. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on (571) 272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Thong Q. Nguyen', is positioned above the printed name.

Thong Q. Nguyen
Primary Examiner
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